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Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 07-00006-01 SBA
	)	
Plaintiff,	)	
	)	
v.	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER RE DISCOVERY OF UNITED
TONY LOMBARDI,	)	STATES PROBATION OFFICE'S FILES
	)	
Defendant.	)	

The parties in the case hereby stipulate and move the Court to order the United States Probation Office to make its documents and files pertaining to the charges in the Third Amended Petition for Arrest Warrant for Offender Under Supervision, dated October 11, 2012, in the above-captioned case available for inspection and copy. In support of its request, the parties stipulate as follows:

1. This case is set for a revocation of supervised release hearing before the Honorable Saundra Brown Armstrong on February 11, 2012 at 10 a.m..
2. The Probation Office recently informed the parties that it would not make its files fully available for discovery without an order from the Court.
3. Case No. 07-00006 involves allegations that the defendant violated the conditions of

1 his supervised release. Consequently, the Probation Office's documents and files relating to the  
2 Third Amended Petition for Arrest Warrant for Offender Under Supervision, dated October 11,  
3 2012, are pertinent to this case and should be discoverable.

4 4. The government will assist the Probation Office in ensuring that any electronically  
5 stored data are properly preserved and available for inspection and/or copying.

6 5. The Probation Office is in agreement with the parties that the documents and files  
7 requested are relevant to the case and should be released, pending the Court's authorization.

8 WHEREFORE, the parties respectfully request that the Court order that the United States  
9 Probation Office, with the assistance of the government, make its documents and files pertaining  
10 to the charges in the Third Amended Petition for Arrest Warrant for Offender Under  
11 Supervision, dated October 11, 2012, in the above-captioned case available for inspection and  
12 copying.

13 **So Stipulated.**

14 Date: January 30, 2012

Respectfully Submitted,

MELINDA HAAG

16  
17 /s/  
TALIA FALK, Esq.  
Special Assistant United States Attorney

19  
20 /s/  
SETH P. CHAZIN, Esq.  
Counsel for Defendant Lombardi

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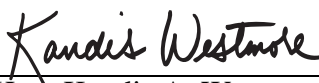
UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
TONY LOMBARDI, )  
 )  
Defendant. )

No. CR 07-00006-01 SBA

~~PROPOSED~~ ORDER RE DISCOVERY  
OF UNITED STATES PROBATION  
OFFICE'S FILES

For the reasons stated in the stipulation of the parties, IT IS ORDERED that the United States Probation Office make any documents and files pertaining to the charges in the Third Amended Petition for Arrest Warrant for Offender Under Supervision, dated October 11, 2012, in the above-captioned case available to the parties for inspection and copying. IT IS FURTHER ORDERED that the government assist the Probation Office in preserving any electronically stored data and making such data available for inspection and copying.

2/4/13  
Date

  
\_\_\_\_\_  
Hon. Kandis A. Westmore  
Magistrate Judge